

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

LINWOOD EDWARD TRACY, JR.,) 3:08-CV-0270-ECR-VPC
)
Plaintiff,) MINUTES OF THE COURT
)
vs.) DATE: March 24, 2009
)
UNITED STATES OF AMERICA; et al.,)
)
Defendants.)
)

PRESENT: EDWARD C. REED, JR.

U. S. DISTRICT JUDGE

Deputy Clerk: ROSEMARY DAMRON

Reporter: NONE APPEARING

Counsel for Plaintiff(s) _____

NONE APPEARING

Counsel for Defendant(s) _____

NONE APPEARING

MINUTE ORDER IN CHAMBERS

On February 12, 2009, the Court entered its Order (#28) allowing Plaintiff fifteen (15) days within which to file proof of service of process complying with Fed. R. Civ. P. 4(i). In this Order (#28), the Court warned Plaintiff that the documents he filed were not sufficient and that, if he did not comply with the Rule, the action would be dismissed.

Plaintiff filed various documents (#29) in response to our Order but still failed to comply with the Rule; the proof of service of process filed by Plaintiff still did not comply with Rule 4(i).

On February 27, 2009, the Court entered its Order (#31) that Plaintiff would be given one last chance to comply with the Rule. We again warned him that, if he did not comply with the Rule, the action would be dismissed. Plaintiff again responded (#32 and #33) to our Order (#31) but has again failed to comply with the Rule for service of process.

IT IS, THEREFORE, HEREBY ORDERED that Plaintiff's "Motion to Provide Court with Service by Mail" (#32), which is more properly a response to our Order (#31), rather than a motion, is DENIED. **IT IS FURTHER ORDERED** that this action is DISMISSED without prejudice pursuant to Fed. R. Civ. P. 4(m).

The Clerk shall enter judgment accordingly.

LANCE S. WILSON, CLERK

By /s/
Deputy Clerk